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File No. 2 94

1893.

Collection No. (4)

Mysore Residency.

Pros. Serial Nos. 1 - 10.

Subject.

Bangalore civil & Military Stations Municipal Regulation 1896.

Previous References.	Later References.

97 (Unbleached).
[PC—S2—688 (S & P) MFP—(6862/A|M-653)—3-12-46—25,00,000.

No. 530—233-92.

FROM

COLONEL P. D. HENDERSON, C. S. I.,
RESIDENT IN MYSORE.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FOREIGN DEPARTMENT.

Dated Bangalore, the 19th February 1895.

SIR,

I have the honor to submit for sanction of the Government of India a Draft Municipal Regulation for the Civil and Military Station, Bangalore, to be substituted for the present Municipal Regulations sanctioned under Foreign Department Notification Judicial No. 319 I, dated the 9th February 1883.

2. I would explain that the need of a more comprehensive and convenient Regulation for this Municipality, on the lines of the Madras City Municipal Act, has been under consideration since 1884. The first proposal took the form of the introduction of the Madras Municipal Act I of 1884 with such alterations as might be necessary but this was negatived by the Commissioners owing to a difference of opinion on the question of adoption of the Madras rates of taxation which were higher than in Bangalore. The next proposal was an amendment of the Bangalore Municipal Regulations of 1883 by incorporating the provisions of such sections of the Madras Municipal Act as would remedy the short comings of the Bangalore Municipal Regulations, and a Draft Act amended on the above lines was drawn up in June 1886. Owing, however, to changes of Residents and other causes, no definite action was taken, and it was considered preferable to amend the different sections of the Regulations as required from time to time until the original became unrecognisable, when the whole might be revised and remodelled, and this procedure has been adopted up to the present, and until the Municipal Commissioners have now reopened the question.

3. Ten years have now elapsed since the last consideration of the question, and frequent amendments, alterations and additions have rendered it desirable to recast the present Regulations.

4. The Municipal Commissioners acting on my suggestion have now submitted a Draft Regulation which has been drawn up by a select committee and passed during ten special sittings; this draft has since been revised on all points requiring further consideration by my First Assistant, and the Judicial Registrar, and is now in my opinion fit for submission to the Government of India.

5. The Bangalore Municipal Regulations of 1883, which repealed those of 1871, framed on the basis of the Madras Municipal Act in force in 1871, is now found to be insufficient, inconvenient, and very defective on many points for present requirements. The draft herewith submitted consisting of 455 sections has been arranged on the lines of the Madras City Municipal Act (I of 1884), is clearly worded, divided under separate headings, and will meet the present requirements.

6. The following Acts and Regulations have also been used in drawing up the draft.

(i) Bengal Act No. II of 1888 also known as the Calcutta Municipal Consolidation Act.

(ii) Bombay Municipal Acts of 1872 and 1878, and in submitting the Draft Municipal Regulation of 1895, I would ask the early sanction of the Government of India in order to levy as soon as possible the increased 1% under Lighting and 2½% House rates, to provide funds to meet the heavy expenses of a water supply.

I have the honor to be,

Sir,

Your most obedient servant,

COLONEL,

Resident in Mysore.

2

May 15. 95

My dear Curzon—

I have only just seen Henderson's letter
S. I 530 - 233 - 92 of Feb. 19. 95 submitting
a new municipal Regulation for Bangalore.
I have been greatly struck at the divergences
in the existing Regulations and in that now proposed from the type
of administration which is considered best
adapted for a military Cantt, & it
seems to me that military considerations
have been too much ignored in the
administrative measures introduced into
the civil & military station. I am not
at all satisfied with present arrangts,
I have reason to fear that the collection
of taxes is mismanaged & that the powers
which Govt ought to possess in a large
military station have been lost sight of.
Under these circumstances I should be glad
if the final views of Govt on the
latter cited could be deferred until I
have been able to study the whole question
& submit proposals.

Yours

Kitchener

3

FOREIGN DEPARTMENT INDIA

Seen by Resr. H.T. 8 JUN 95

Simla
The 31st May 1895.

RESIDENT'S OFFICE BAI 2249 D/ 8-6-1895

My dear Lee-Warner,

As requested in your demi-official letter
S. 2 of the 15th May 1895 to Cunningham, action
will be suspended on Colonel Henderson's
letter no: 530, dated the 19th February 1895, until
we receive your proposals as to the Municipal
regulation required for the Civil and
Military Station of Bangalore.

Yours
H. Daly

To W. Lee Warner Esqr, C.S.I.
Resident, Mysore.
Ootacamund

WR

Fair this revised Edition

No. 3019

4

FROM

THE RESIDENT IN MYSORE.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FOREIGN DEPARTMENT,

Dated Bangalore, 3rd August 1895.

SIR,

Reverting to this office Letter No. 530 / 233·92 dated the 19th February 1895, submitting for sanction a revised Municipal Regulation for the Civil and Military Stations on the lines of the Calcutta, Bombay and Madras City Municipal Act, consisting of 455 Sections, I have the honour to submit the following remarks.

See letter to India in file 3 M. 93

2. It seems to me essential at the outset to bear in mind that we are dealing with a Station in Foreign territory, held for Military and other purposes

purposes, that, with a view to the avoidance
of divided authority and the Concentration
in the Residency of all relations with the
Durbar, no part of the Station is detached
from political Control so as to form a
Cantonment under the Cantonment Act, but
that our main interests are Military, and
our main care the avoidance of offence in the
collection of Excise etc: to the Native State.
The application to such a Station of the
highly developed Self Government Consti-
-tution of the Presidency cities, the careful
restriction of executive authority which under
the Shadow of a High Court is required, and
the abandonment of those powers of Control
which are of vital importance to the health
and discipline of a Military Cantonment,
are propositions which need some justification.
From the time of my arrival I have heard
Constant Complaints as to the insanitary
Condition of the Station, as to the increasing
difficulties experienced by Military Officers
in

in obtaining house accommodation near their lines, as to the dimension of land granted for building officer's houses from those purposes, and as to what I may term strict Cantonment administration. My enquiries have confirmed these Complaints, and I attribute them principally to the existing Municipal Regulations which, originally intended for Municipal administration, have since the transfer been constrained in some cases to meet circumstances ~~placed to purposes~~ for which they were never framed, and in other cases have been found useless. In the revised regulations sent by my predecessor I find no attempt to Correct this Cardinal defect in the Station administration.

3. I beg here to illustrate my Contention. One M. Venkatasawmy, a Municipal Commissioner and house-holder, is proprietor of the Compound and house No. 34 South Parade in the heart of the Military quarters. The original

original grant of this land was in 1815,
and it recited a reference to Colonel
Marriott's report and the usual Conditions
on which land was granted to officers
for building houses. Those Conditions, as
I understand them, would ~~have justified~~ justify
the intervention of authority to prevent overcrowding
~~the fixing of a reasonable rent.~~ They would in certain
conditions the assumption
~~certainly justify a purchase~~ by the
authorities of the land and houses at a
reasonable ~~rental~~ valuation ~~required for Military~~
~~purposes~~ In October 1893 the Resident
and the Military authorities were alarmed
by an advertisement which offered this
and other property for sale as building
sites. There is every reason to believe that
the Case was a test Case. ~~Under the~~ The Rent refused to allow
the auction. Thereon the Inspector applied under the Munic-
ipal Regulations ~~to which the authorities~~
147 for permission to build more houses
turned Section 145 ~~the President was directed~~
on the land.'
~~to refuse permission to the erection of new~~
~~buildings on the site~~. The Sanitary Board
Considered it "undesirable on Sanitary
grounds" to build ~~two houses between these~~ additional houses.

is

issue. The proprietor naturally challenges
the President of the civil
the decision and ~~has appealed to me~~.
Civil Station Dr not know how to act.
It is impossible to justify the decision a refusal
as based on the Municipal regulations,
for good levels
free ventilation and cleansing are
fully guaranteed. All I can do is to
at the risk of a law suit
fall back upon the terms of the original
that
grant without the support of a Com-
=tonment Act or regulation. Then
again there are several buildings in
what ought to be a model Military
Station which are unfit for the purposes
Mr Mactier late residing in a house in Ulsoor Road is
as I write a second officer for which they were constructed. A case
dying of Enteric fever, following the grave his fellow lodger Mr Farber.
a rule like that made under Act XIII of 1889
notified for Secunderabad in your Notifi-
=cation No. 1910. I. dated 14th June 1895 is
on the lines of
just what is required. The draft regu-
sent to you
=lation Section 283 will not help us, and
yet Bangalore with its splendid climate is owing to its insanitary condition
losing more fatal cases than Calcutta in 4. The new regulations, although
in my opinion too long, are in some
respects an improvement on the old,
but their chief omissions appear to me
to

to be the following. There is no power given to the Resident to enforce compliance with the most urgent and wise recommendations of the Sanitary Board. There is no obligation for grants of land to be registered and a proper record of rights maintained. The whole subject of ~~occupation of land~~ horse accommodation in the Military quarters, regulation, & in fact the land tenure question, call for immediate legislation. ~~The unsuitability of Bungalows as residences is a serious~~ necessary regulations. On this view of the case I shall presently address you. In other respects we ~~drawback to the engagements of Officers of the Garrison~~ need legal powers. There is no adequate power to enter premises or Compounds. By immemorial custom the State has the right to Sandal wood, and my predecessors have always intended to Collect revenue from the exercise of this right in which the Dumbar is greatly interested as its monopoly would be imperilled if Sandal wood could be smuggled into the Station and sold as the product of the Station. From time to time Residents have intended to move but have feared lawsuits.

Cattle

Cattle trespass is often complained of, and there is no adequate provision to prevent it. The suppression of mendicancy in this large Eurasian Station needs provision

5. I had not intended to address you without an interval of 12 months careful study, but in view of my departure and the lamentable loss of life which I deplore entrenched in the last few days, I would respectfully suggest that, if the main outlines of administration by a sort of representative Government for the municipal quarter of the station are adhered to, power should be taken in the Regulation to mark off certain quarters as exclusively reserved for Military purposes, and within those areas to apply more suitable regulations based on the Contonment Codes in force elsewhere, for the occupation of houses, for Control over buildings, for special Sanitary powers, for the formation of Committees of arbitration, for the recovery by

by Government on its own land, control over
Prisoners with the
water supply and so forth. The tendency
to govern the whole Station on what I
may call exclusively Municipal lines
is one which will entail heavy loss upon
Government and inconvenience to the
Residents with the Resr & the civil Officers it is still quite easy to meet
all the proper requests of the military authorities, & what to
Military authorities. An amendment of Regulations respecting private
the present Regulations affords a suitable property to ensure
opportunity, and if the Governor-General in Council is pleased to direct a reconsideration of the draft Regulations, so as to secure by the state are purpose for which grants made
I venture to think that it will be most expedient.

I have the honor to be

Sir,

Your most obedient Servant,

H. Lee Warner

Resident.

No. 3167.

FROM

W. LEE-WARNER, ESQ., C. S. I.,
RESIDENT IN MYSORE.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FOREIGN DEPARTMENT.

Dated Bangalore, the 14th August 1895.

SIR,

With particular advertence to my letter No. 3019, dated 3rd August 1895, I have the honour to address you upon the intolerable condition, from a sanitary and health point of view, of portions of this Civil and Military Station. When, in the most favoured climate of India, on a single road one house supplies in the same week three cases of remittent fever verging on typhoid, Surgeon Captains Johnson and Thurston and Vet. Lieut. W. Tatam, and when the house opposite to it was tenanted by several officers, of whom two, Messrs. Forbes and Mactier, have died of typhoid within a few days of each other, when the records of my office show that ever since 1888 the Sanitary Committee has reported in the strongest terms on the condition of drains and houses in the military quarter of the Station, and nothing has been done, I feel justified without further explanation in using the term "intolerable."

2. Two remedies are in my opinion imperatively called for, one a complete reform in the system of drainage which will tax all the resources of the Municipal Committee, and the other the provision of legal powers of control. The water scheme is of course all important, but it has formed the subject of separate correspondence which is not yet completed (see my letter No. 2089, dated 10th June 1895). The completion of a drainage system and the appointment of a proper Sanitary Staff require funds, and I trust that my letter No. 2710, dated 18th July 1895, will lead to that result. In the present letter therefore I shall confine myself to the question of legal powers of control. The present position is this. Bangalore is a Station assigned by the Maharaja "for purposes of a Cantonment." We are in honour bound to do the best we can with our present limits, and not to ask the Native state to extend our area if, by proper arrangements, the area at our disposal suffices. For the administration of this area we have a Municipal Committee principally composed of elected Commissioners, many of them house owners whose interests are to extract the largest rents from the occupants of their houses and to give the least in return. To expect that such a constitution will administer, according to the standard required, a Military Cantonment is to argue that the experience of the rest of India is useless. The local government would not be allowed to hand over either the Poona or the Lucknow Cantonments to the adjoining City Municipalities, nor is even the Fort at Calcutta with its small British Garrison entrusted to the highly advanced self governing community of the presidency town. To suppose then that the Municipal Commissioners of Bangalore are the best qualified agency to administer the Military part of this Station seems to me opposed to

experience elsewhere and to practical experience here. That the Resident should administer the whole Station and divided authority be avoided, and that there should not be a Cantonment under a Cantonment Committee in accordance with ordinary Cantonment regulations as well as a Civil Station under the elected and appointed Commissioners of Bangalore are, I believe, sound propositions; but the cardinal mistake in my opinion of the last ten years has been the administration under identical sections of the Bangalore Municipal Regulations of two such different areas as the Civil Station, and the Military quarter of Bangalore, in which the position of affairs is not identical.

3. Before proposing a remedy, I beg to invite attention to the report of the Sanitary Committee enclosed and marked Appendix A. It will be observed that "the evil" arising from the delay in providing a water scheme is "beginning to assume alarming proportions": that as regards Ulsoor house the rooms on the ground floor of the main house are "unfit to sleep in," the room occupied by the late Mr. Forbes "foul in the extreme," the whole house "dilapidated," and the detached bungalow, in which the late Mr. Mactier lived, one which it was "absolutely impossible for any human being to occupy for any length of time without materially suffering in health." In the compound "the stench" from the open drain "is quite indescribable." In the adjoining compounds there is "an utter disregard of keeping them in a proper sanitary condition." The Board's recommendations will be noticed, and it is only necessary for me to report that Ulsoor house is in the very heart of the Military quarter, nearly opposite the Mess of the British Regiment and the house occupied by the Colonel Commanding the Regiment. Its rent has grown to Rs. 110 and consequently 4 or 5 officers for economy's sake crowd into it. The grass is retained by the land-lord who grows a crop of hay upon it. The foul surroundings of the premises add not a little to the value of the crop. The land was granted in April 1818 by Col. Marriott to Lieutenant Kitron, and thus it falls within the scope of the memorandum written by me on the 1st August last, of which a copy is enclosed. Its condition I attribute in a large measure to the want of legal powers. I have found other houses in the Military quarter not much worse than Ulsoor house, and I trust that the expression which I used in the first paragraph "intolerable condition" will be considered to be justified by this report from the Sanitary Board.

4. The present state of affairs is the result of a somewhat rapid development of recent years. My predecessors seem to have deplored the multiplication of dwellings, but to have regarded this as inevitable. A noteworthy incident occurred in September 1894 and is referred to by the Committee. The President of the Station reported that he had received an application to build four houses in a compound in Cunningham Road known as Pereira's coffee garden, where at that time only one Bungalow and a detached one stood. He considered this objectionable. The Sanitary Board unanimously advised that only three houses besides the existing one should be built, and made detailed recommendations. The Assistant Resident forwarded copies "for information," and there are now seven new Bungalows nearly completed in addition to the old one on the spot. The natural drainage from all of them is into Miller's tank whence water is drawn for all purposes. I had already called for a report before I received the Committee's report, and I am considering what action is possible.

5. Assuming that the Government of India will accept my assurance that the state of affairs is very serious, I now beg to invite attention to enclosure (2) a memo written by me on the subject of the tenure of land in the old Cantonment of Bangalore. In my opinion, Government have a perfect right to legislate so as to bring the sites for houses and spaces, granted free of charge to proprietors, under regulation in order to secure attention to sanitary needs and to fulfil the intentions of the grant. I submit that these powers arise both from the Sovereignty of Mysore and the jurisdiction delegated to us by the Mysore Government, and also from the express conditions on which these grants were made. I submit that, far as the terms of the Government of India letter, dated 20th December 1858 to the Government of Fort St. George went in the way of concession, and with scrupulous regard to the rights of property conceded, there is nothing in law or equity to prevent reasonable restrictions being put upon the proprietors. That letter upheld the right of Government to purchase the tenants' property at a fair value, and the same conditions of tenure, which

justified that unusual interference with property, seem to me to justify the promulgation of regulations affecting the space allotted to private buildings and compounds granted by Commanding Officers, Bangalore, and their successors in authority.

6. I propose then that the Municipal Regulations be altered or amplified by a Notification as follows:—

DRAFT NOTIFICATION.—In continuation of Notification No. 994 I., dated 4th March 1891, the Governor-General in Council is pleased to declare that the following additions to the Bangalore Municipal Regulation of 1883 as amended from time to time shall have force in the Civil and Military Station of Bangalore with effect from this date:

1. To Section 2, the interpretation clause of the said Regulations, shall be added after clause 2 defining municipal limits, the following:—

Military Quarter.

The expression Military Quarter means the portion of municipal limits occupied by the Military authorities for the purpose of barracks, lines, hospitals and other purposes, and includes any sites or compounds originally granted by Commanding Officers, Bangalore, which are occupied by officers in Military service as dwelling houses; and the limits of the Military Quarter as now defined shall be fixed from time to time by the Resident, and a certified copy be kept in the Collector's office.

2. The following new Section 92 shall be added to the Regulations.

Addition of new Section 92.

92. Within the Military quarter of the Station, the Resident shall have power to make bye-laws dealing with the following matters, provided that the same shall have received the prior sanction of the Governor-General in Council and been published in the Gazette of India, namely:—

i. Regulating the conditions annexed to the occupation of land granted for building sites and compounds, and providing for the due maintenance of registers of property

ii. Preventing over crowding, requiring sanction to every fresh building, and fixing the conditions annexed to such sanction; and defining or compelling the abatement of nuisances injurious to health or to the public safety, and providing for the regulation of sewers, drains and latrines:

iii. Providing for the maintenance of lands or buildings in proper order, for the maintenance and repair of boundary walls or hedges, and the removal of buildings of all sorts unfit for the purposes for which they were constructed;

iv. Regulating the water supply;

v. Providing for the suppression of mendicancy;

vi. Providing for the proper care of animals when grazing;

vii. Providing for the prevention of fires;

viii. Providing for the appointment of Committees of arbitration for the valuation of houses required by government, or for other purposes;

ix. Regulating the destruction of stray dogs, or animals suffering from contagious diseases

x. Providing penalties for omission to carry out any of the obligations created by such bye-laws.

7. As regards the regulations to be made under the powers proposed I would remark that in respect of over crowding and the maintenance of buildings

those applied to Secunderabad under F. O. Not. 1910 I, dated 14th June 1895, afford an excellent guide, whilst in regard to the other matters an adaptation of the cantonment rules drawn up by a committee in Calcutta in 1894, from which I observe that the Notification just recited was to a great extent drawn, will be a matter of no difficulty. I am inclined to think that the provision of a remedy for the present State of affairs is a matter of such urgency that it is better to create the power to act at once, without awaiting the amendment of the Municipal Regulations.

8. The position is that, even in British India, the legislature has by Act XIII of 1889 conferred on the executive the powers which I now ask for. Bangalore is a Station of our own making. It has been made to some extent at the expense of the Mysore State and we are morally bound to use it for the purposes for which it is granted. House holders have nothing to complain of. They have received a property of enormous value, and are only asked to conform to the terms of their grants. On the other hand the evils and hardship inflicted upon military officers are undeniable and will only increase with the neglect of precautions. It is true that Government might resume some of the plots granted and build upon them quarters for the officers. But seeing that they have every right to compel their grantees to act up to the conditions of their grants, this solution seems to me preferable. Moreover if Government did build quarters, and yet continued to allow foul open drains, over crowding, and polluted supplies of water on the adjoining lands, the health of the military population and of the occupants of government quarters would suffer. For every reason therefore action in the direction which I have suggested seems to me desirable, and I would only venture to express the hope that an early decision may be recorded upon my suggestion.

9. It must be admitted that I have not provided for one great cause of complaint, excessive rents. Personally I hold that under Paragraph 6th of Colonel Marriott's letter read with paragraph 21 of the Quarter-Master General's Regulations, Government have the power to do so. But apparently the Government of India has hesitated to accept that view. I have therefore confined myself to an endeavour to provide that officers shall not be poisoned by defective drainage, polluted wells, and residence in out-houses unfit for habitation as in the recent case of Ulsoor house; and when that object is secured any further question that may arise can be considered.

I have the honour to be,

Sir,

Your most obedient servant,

Resident.

Will this do?

I have this completed

will be sent to

15-8-95

Enclosures to the Resident's letter No. 3167, dated the 14th August 1895.

I. APPENDIX A.—Letter No. 520, dated 8th August 1895, from the Secretary, Sanitary Board, Civil and Military Station of Bangalore, to the First Assistant to the Resident in Mysore, Bangalore.

Enclosure 1.—Chemical analysis of water taken from a well in the compound of Ulsoor House, Ulsoor Road, Bangalore, dated 6th August 1895.

Enclosure 2.—Letter No. 683 B, dated 8th August 1893, from the Principal Medical Officer, Bangalore and Belgaum Districts, to the Assistant Adjutant-General, Bangalore District, Bangalore.

Enclosure 3.—Letter No. 500—19-8-93, dated 18th August 1893, from the Secretary, Sanitary Board, Civil and Military Station, Bangalore, to the First Assistant to the Resident in Mysore, Bangalore.

Enclosure 4.—Analytical Report on Samples of Water from Miller's Tank Nos. I, II and III.

II. MEMORANDUM, dated the 1st August 1895, by the Resident in Mysore, on the claim of Mr. Venkataswami to build additional houses in compound No. 34, South Parade, Bangalore.

Appendix A.

No. 520, dated Bangalore, the 8th August 1895.

From—Surgeon Lieut.-Colonel A. F. Dobson, Secretary, Sanitary Board, Civil and Military Station, Bangalore.

To—The First Assistant to the Resident in Mysore, Bangalore.

With reference to paragraph 2 of your letter No. 1904, dated 29th May 1895, and in continuation of my No. 383 of the 6th June following, forwarding Sanitary Board's Proceedings of the 5th idem on the insanitary conditions connected with the slaughter-house in Nilasandra road, I have the honour to append, for the Resident's information, the following observations of the Board relative to the sanitation of the Military part of the Station of Bangalore.

2. The Board finds from recent reports, furnished by medical officers of corps and hospitals in garrison, that the sanitary arrangements immediately relating to barracks, lines and hospitals are, on the whole, satisfactory, but, in regard to the water-supply, Brigade Surgeon-Lieutenant Colonel Burnett is of opinion that the only pure source now available for the use of European troops is that confined to and obtainable from the single well referred to in the above proceedings. It will further be seen from copies of letters, as per margin, which have an important bearing on this subject, how pressing is the necessity for providing a sufficient and reliable supply of pure water for the troops. Indeed the wholly unsatisfactory conditions which existed and were reported on over two years ago, both by the then Principal Medical Officer of the District (the late Surgeon-Colonel Gaye,) and this Board, have in no wise been remedied, and until some such measures, as were therein recommended, are duly given effect to, so long must it be expected that cases of enteric fever will continue to multiply. The Board would therefore seize the present opportunity of again urging upon Government the imperative necessity of taking immediate action towards remedying an evil that has been so long under discussion, without any material conclusions having been arrived at, and which is beginning to assume such alarming proportions as must inevitably lead to the most disastrous consequences to the health not only of the troops in garrison but to the whole population of Bangalore.

Letter from Surgeon Colonel A. C. Gaye, P. M. O., H. M's. Forces, Bangalore District No. 683 B., dated 8th August 1893.
Report of Sanitary Board No. 500, dated 18th August 1893.

3. Apart however from this re-consideration of a water-supply, the board's attention having been specially directed to advising the Resident as to the sanitary condition of the houses on the Ulsoor Tank side of the Ulsoor Road, occupied by Military Officers, it would beg to report as follows on the result of its inspection of those quarters on the 6th and 8th instant:—

(i.) House registered No. 29 in the occupation of 3 young officers of the Northamptonshire Regiment is in a wholly dilapidated condition; the rooms on the ground floor are unsuitable for sleeping in; the small room pointed out as being the same in which the late Mr. Forbes (who died from enteric fever) lived has no proper ventilation and from its situation, being merely a passage converted by opposite closed doors into an impromptu room, it is not possible for air to enter it direct from outside; the atmosphere is consequently foul in the extreme and quite incapable of supporting a healthy existence to any one occupying such an abode. There are no proper drainage arrangements for carrying away bath-room and surface waters, the only attempt being the provision of a small covered-drain running under the outside verandah to a surface drain in the small yard at the rear of the house where the atmosphere was observed to be particularly offensive from soakage and stagnation of foul water into the ground around. As this drain is directly connected with the bath-room to the late Mr. Forbes' sleeping room it is easy to understand how, with the other conditions alluded to, the disease to which he fell a victim was contracted.

(ii.) The small detached building in a corner of the same compound, and which was occupied by the late Mr. MacTier, is situated within a few feet only of two dead walls, stables and native houses to the adjoining premises, which, from being raised above this small building, the drainage, following the natural confirmation of the ground, percolates into it; while in the space in front is a huge rubbish pit where all kinds of filth and decaying vegetation are deposited. As in the case of the drainage of the main-building so is it here that the bath-room water, finding its way into the soil and there soaking and stagnating, gives off the most offensive odour: nor does it end there as, no doubt, it further passes on its course beneath the foundations where highly mephitic gases are generated and the air rendered so vitiated as to be absolutely impossible for any human being to occupy the building, for any length of time, without materially suffering in health.

(iii.) The compound of these premises is not attended to in the matter of keeping it free from exuberant vegetation, and the free ventilation thereto is much interefered with by want of attention to the proper thinning out of the trees and the trimming of the hedges. It is also observed that the main sewer, which passes at the lower end of the same compound before reaching the Ulsoor Tank, has several ventilating shafts connected therewith, erected no doubt with a view to carrying high into the air the poisonous gases from the sewer, but instead of this being the case the openings at the base of the shafts, owing to the doors originally placed there having either become rotten or removed altogether, the most noxious and pestilential vapours are emitted into the surrounding neighbourhood. In the course too of this sewer, in consequence of the frequent openings or man-holes therein not being covered over and made air-tight, the stench arising therefrom is quite indescribable.

(iv). The compounds to the premises on the east and west of the foregoing are very much in the same state from there being an utter disregard of keeping them in a proper sanitary condition. No attention is given to the cutting and pruning of the hedges and trees and the surroundings to both houses show evidences of soakage and stagnation of bath room and surface waters leading to dampness of the foundations and general unhealthiness of the dwellings. The interiors of these houses were not inspected owing to their being occupied by married officers.

(v) A chemical analysis of the water obtained from a well in the compound of house No. 29 is herewith attached.

4. The Board would here make the following recommendations on the insanitary conditions referred to above, *viz*:—

i. that house No. 29 be immediately put into thorough repair and provided with a proper system of drainage; that none of the rooms on the ground floor be, under any circumstances, utilized for sleeping in, and that the upper-story be restricted to the accommodation of two officers only, in order that each individual officer may have allotted him sufficient superficial and cubic space to ensure that no over crowding takes place. The rent of Rs. 110 per month is considered exorbitant and should not exceed, even when the house has been put in complete repair, Rs. 90.

ii. that the detached building, referred to at clause (ii) paragraph 3 of this letter be at once levelled to the ground so as to prevent the possibilty of its ever again being used as an European habitation.

iii. that under-growth of every kind be removed from the compound and the numerous open rubbish pits covered over with fresh earth and strictly prohibited from being used for such purposes.

iv. that the ventilating shafts or chimneys be removed, as recommended over two years ago by this Board in its report on the main-sewer (copy of which is attached), and that all possible care be taken that the poisonous gases emitted from the sewer, through the open man-holes, already referred to, be no longer blown into the meat and provision markets but that they be closed over and made air-tight. The stench from these openings must of necessity vitiate the atmosphere and render its inhalation most prejudicial to the health of persons residing in that locality.

5. With regard to the subject of the regulation of spaces for dwelling houses, the Board would wish to take this opportunity of bringing to notice the utter disregard given to its recommendations, relative to the expediency of granting permission to building houses with out-houses and stabling within municipal limits. In September of last year applications having been received by the President, Municipal Commission, Civil and Military Station, for permission to erect four dwelling houses in the compound of the property known as "Pereira's Coffee Gardens" in Cunningham Road on the High Ground, the opinion of the Sanitary Board was sought on the point and its views duly communicated as follows :—that there was no sanitary objection to the construction of four dwelling houses on the ground in question with certain reservations in regard to preventing any undue over crowding of the buildings, but instead of these recommendations being adhered to and without any further reference to the Board, it is observed that seven buildings, with out-houses and stabling out of all proportion to the available space have been erected there which cannot otherwise but result in general unhealthiness hereafter to the occupants of those houses.

6. Under the foregoing circumstances the Board would most strongly urge that some special steps be taken in the future as will not only save young officers of the garrison from living under such highly insanitary conditions as have herein been brought to notice, but will also be the means of preventing over crowding of houses in localities where they are quartered. The Board is further of opinion as to the desirability of suitable houses being especially set apart for the exclusive use of military officers of the Station, and such as would be open to the periodical inspection of the medical, sanitary and engineering authorities, under the orders of the Resident and the General Officer Commanding, and further that the present excessive rates demanded for house rent in cantonment be put a stop to and rents fixed so as to place it within the reach of junior officers in particular to obtain suitable house accommodation without any undue over crowding.

S. B. HUNT, *Surgeon Colonel*
P. M. O. Bangalore and Southern Districts.
} PRESIDENT.

A. F. DOBSON, *Surgeon Lieutenant Colonel*
Residency Surgeon, Bangalore.

GEORGE J. SHAW, *Captain I. S. C.*
Offg. Assistant Adjutant General B. D.
} MEMBERS.

ENCLOSURE I.

Chemical analysis of water taken from a well in the compound of Ulsoor House, Ulsoor Road, Bangalore 6th August 1895.

A. QUANTITATIVE TESTS.

1. Colour—Greyish.
2. Clearness—Clear.
3. Sediment—Very apparent, probably vegetable.
4. Lustre—Vitreous.
5. Taste—Nil.
6. Smell—Nil.
7. Total hardness—1½ grs. Ca. Co_3. per gallon, indicates pure water.
8. Chlorine—2-15 grs. per gallon— usable water.

B. QUALITATIVE TESTS.

Lime—present.
Sulphuric Acid—none.
Chlorine—present, corroborating No. 8.

The above analysis shows the water to be usable, but a complete and reliable examination could not be made owing to want of sufficient time and proper materials.

ENCLOSURE II.

No. 683 B., dated Bangalore, the 8th August 1893.

From—Surgeon Col. A. C. Gaye A. M. S., Principal Medical Officer, Bangalore and Belgaum Districts.

To—The Assistant Adjutant-General, Bangalore District, Bangalore.

I have the honour, in continuation of my No. 666 B., dated 28th July 1893, to report for the information of the General Officer Commanding, that in my opinion, the water from the Ulsoor water works is not now, and never will be, fit to issue to troops for drinking or cooking purposes. The chief, and in fact, the only source is the Ulsoor Tank—this with an area of some two miles is fed with the waste water from the banks and surrounding habitations and drains. The main feeder from the main bazaar runs directly into it; this collects the refuse water of the drains in the bazaar, the washings of the roads, debris of all kinds and the fœcal matter from the various private latrines, which exist in each private hut, and the contents of which may be seen trickling down the walls directly on the road adjoining the feeder channel. In addition, communication exists between the main sewer of the native town which runs parallel to the feeder, in heavy rains the connection in many places is complete, at other times badly jointed masonry allows of the soakage of sewage and at all times the escape of gas at the open intervals and supposed safety chimneys is most loathsome and injurious. In addition to this, the main sewer passes under the Ulsoor Tank and the width of a single porous brick is all that prevents absolute contamination. Anything more calculated to poison water and air than the arrangement of this sewer, it is difficult to conceive, and the occurrence of numerous cases of enteric fever, especially amongst the officers of the Royal Artillery and the inhabitants of the Ulsoor Barracks and bazaar generally, is not to be wondered at. The stench from the sewer is blown by the prevailing wind south-west, directly in their direction. At a short distance, below the tank, some 500 yards or so, the main sewer ceases, the contents are allowed to percolate into the adjoining banks; within a few yards of the Madras Road along which our troops frequently pass, are cess-pits of untold age containing the contents of the sewer and from them ladled to the surrounding gardens and crops. The stench from this locality is beyond description and as it is directly to windward of the Artillery barracks and lines, should be at all cost prevented. The dhobie wells, which are simply filled with naturally filtered water from the Ulsoor Tank, can never contain pure water. I have not alluded to the other waste water feeders, which empty themselves into the Ulsoor Tank. As previously stated from an area of about two miles, the waste water of cultivated lands, gardens, native dwellings, cowhouses, and latrines finds its way into the main water-supply intended for consumption by British Troops. Fortunately, the water in the slaughter-house wells and some of those on St John's Hill is good, otherwise there would positively be none pure enough for consumption. Nothing but absolute distillation would ever make the present water-supply fit to use. Whichever new scheme is decided on, and judging by the Sanitary Commissioner's report, the water from only one, the Maligal, is free from suspicion; it is a matter of the utmost importance that pure water should be without delay provided, and so conducted to Barracks as to be free from contamination. I append the various recent analysis which have been made by the Chemical Examiner, and special medical officers told off for that duty.

ENCLOSURE III.

No. 500—19-8-93. dated Bangalore, the 18th August 1893.

From—Surgeon Lieut.-Colonel A. F. Dobson, Secretary, Sanitary Board,
Civil and Military Station, Bangalore.

To—The First Assistant to the Resident in Mysore, Bangalore.

With reference to your No. 2729—290-93, dated 9th August, which reached us on the 12th instant, I have the honour to forward the following report by the Sanitary Board.

2. The question of lowering the masonry side wall of the main sewer is of no importance, the connection between the main sewer and main feeder or channel for drainage water is so complete, as it now stands, that the main channel is to all intents and purposes a sewer. Into it open at intervals the various drains which line the sides of each road, street and gully on both sides of it, when rain falls the contents are partly emptied into the sewer and partly into the channel which leads direct to the Ulsoor Tank. Into these drains the contents of private and public latrines may be daily seen trickling or worse still falling on the roadway from whence, when rain falls, all debris—human and animal excrement and every possible impurity—are washed. When rain does not fall, the scarcity of water prevents the flushing of drains and the contents are absorbed through the imperfect masonry or remain to stagnate, putrify and poison the atmosphere. Bordering on each side of this channel are various wells from which many of the inhabitants obtain their water and which must be contaminated percolation. Beginning from Miller's Tank to its out fall at the Ulsoor Tank, the main channel is open to contamination of all kinds, it is as before stated nothing more or less than an open sewer into which every impurity possible in a crowded native city (including the drainage from the offal markets of the public slaughter-houses) finds its way. The connection between the main sewer and the channel is evident. The main sewer as now existing is most objectionable unless after heavy rain, the contents almost stagnate. The openings are frequent, the scape of sewage gas is constant and most offensive and the health of the entire population is jeopardized by its existence. Towards its lower end and before it reaches the Ulsoor Tank, several chimneys have been erected with the presumed idea of carrying high into the air the poisonous gases instead of so doing the opening at the foot of the chimneys emits them into the surrounding neighbourhood chiefly towards Ulsoor bazaar, barracks and Artillery Lines. The stench from these man-holes is indescribable. Passing on its course under the Ulsoor Tank, the width of a single porous brick is all that prevents absolute contamination. For a time it passes on covered certainly, but with porous walls through the cultivated land below the level of the Ulsoor Bund, tapped at intervals by openings to enable the ryots to ladle its contents into cess-pits and subsequently to spread without any attempt at deodorization on the adjacent crops. Just beyond the Madras Road it becomes an open sewer with no masonry, its contents are absorbed by the adjoining banks or are collected in cess-pits of ancient origin and the poisonous gases from which are wafted by the prevailing winds to the village and Lines of Ulsoor. Such is the condition in which the Committee find the drainage and water-supply of the Civil and Military Town. The recommendations it has to offer are as follows :—

(1) at any cost a water-supply conveyed in water-pipes with stand pipes at intervals for the entire use of the inhabitants,

(2) the closing of all private wells and the prohibition of using tank water for drinking purposes

II. The provision for each dwelling house of a receptacle (kerosine tins answer admirably) in each latrine, a tax on inhabitants to keep these latrines clean—Municipal sweepers to be employed and paid out of this tax. The contents to be removed in air-tight carts, small enough to go into the small gullies, and disinfectants to be freely used.

III. Communication between the main sewer and the waste water channel to be entirely stopped, the frequent openings to be closed and the man-holes to be made air-tight. The chimneys to be removed. All possible care to be taken that the poisonous gases are no longer blown, as at present, into the meat and other provision markets.

IV. The question of the disposal of the night-soil is not included in this enquiry, but the Committe is of opinion that the present existing system of the removal of the solid excreta from the public latrines, &c., is highly injurious to health.

3. The Committee in conclusion is of opinion that the question is of such vital importance that the assistance of a sanitary engineering expert would be beneficial to decide whether the present system of drainage could be so improved that when a supply of water exists to permit of flushing, it would be satisfactory, or whether an entirely new system of drainage will be necessary.

4. The Committee can further add that the water-supply for the troops from Ulsoor water works has been reported as unfit for use for drinking or cooking purposes by the Principal Medical Officer of the District as nothing but absolute distillation will render it pure, in his estimation.

(SIGNED) A. C. GAYE, *Surgeon-Colonel P. M. O., Bangalore & Belgaum Districts.* } PRESIDENT.

(SIGNED) A. F. DOBSON, *Surgeon Lieutenant-Colonel Residency Surgeon, Bangalore.*

(SIGNED) G. A. P. EVANS, *Captain Deputy Assistant Adjutant General, Bangalore District.* } MEMBERS.

ENCLOSURE IV.

Analytical Report on Samples of Water from *Miller's Tank* Nos. I, II and III.

Collected August 24th 1893.

Examined August 25th 26th 27th and 28th.

Physical Characters.

	No. I Tank.	No. II Tank.	No. III Tank.
Colour	Greyish	Greyish yellow ...	Greyish.
Clearness	Hazy	Very hazy ...	Slightly hazy.
Sediment	Slight amount (sand and vegetable matter.	Slight amount ...	Slight amount.
Lustre	Dull.	Dull	Vitreous.
Taste	Nil	Nil	Nil.
Smell	Nil	Nil	Nil.

Qualitative Examination.

Reaction	Neutral	Neutral	Neutral.
Lime	Nil	Nil	Nil.
Chlorine	Trace	Trace	Trace.
Sulphuric acid... ...	Nil	Nil	Nil.
Nitric acid	Nil	Nil	Nil.
Nitrous acid	Nil	Trace	Trace.
Ammonia	Nil	Nil	Nil.
Hydrogen Sulphide ...	Nil	Nil	Nil.
Alkaline Sulphides ...	Nil	Nil	Nil.
Oxidisable matter ...	Trace (marked) ...	Trace	Trace.
Metals	Nil	Nil.	

Quantitative Examination.

Chlorine.	·84 grs. per gallon or 1·2 per 1,00,000 ...	·84 grs. per gallon or 1·2 per 1,00,000 ...	1·4 grs. per gallon or 2 per 1,00,000.
Total oxidisable matter in terms of oxygen required for its oxidation.	·220 per 1,00,000 ...	·152 per 1,00,000 ...	·220 per 1.00,000.
Organic oxidisable matter in terms of oxygen required for its oxidation.	·180 per 1,00,000 ...	·12 per 1,00,000 ...	·12 per 1,00,000.
Nitrous acid (in nitrites) ...	·1150 per 1,00,000 ...	·0920 per 1,00,000 ...	·2875 per 1,00,000.

Remarks.—The water from all three Tanks contains an excess of organic oxidisable matter and Nitrous acid. The amount of Nitrous acid alone is sufficient to place the water in the "suspicious class," and to render it unfit for drinking purposes. Knowing that Miller's Tanks are liable to pollution from sewage at any time I am of opinion that the water never will be fit to be used for drinking purposes.

SOUTH STATION HOSPITAL,

Bangalore, 29th August 1893.

(Sd.) T. W. GIBBARD,
Surgeon-Captain, A. M. S.

№ 2689 I

6

W. 20.6

From

The Deputy Secretary to the
Government of India

To

The Resident in Mysore

Foreign Department

Dated Simla, the 15th August 189

S-14

Sir,

I am directed to acknowledge the receipt of your letter № 3019 dated the 3rd August 1895, regarding a revised Municipal Regulation for the Civil and Military Station Bangalore.

2. I am to request you to take into reconsideration the draft Regulation prepared by Colonel Henderson with a view to revising it in the direction indicated in your letter under acknowledgment.

29/13

I have the honour to be,
Sir,
Your most obedient servant,

H. Daly

offg. Deputy Secretary to the
Government of India

Sep

Foreign Office,

Simla, the 19th August 1895.

Rajah Lushmeer.

S.4

In answer to your official letter, No. 3019, dated the 3rd August 1895, we are asking you to revise Colonel Henderson's draft municipal regulation for Bangalore on the lines you have suggested. It would be fortunate if you could complete the work before you leave India

I enclose, for your information a note prepared on the present draft by the Deputy Secretary in the Legislative

Department which will probably be of assistance to you, although it has not been considered by the Secretary or the Honourable Legal Member — A copy of the draft regulation as so revised follows by ~~book~~ post. Please return it when done with —

We will do our best to push this important matter through quickly.

Yours sincerely

J. D. Anderson.

W. Lee Warner, Esq., C.S.I.,
Resident in Mysore
Bangalore

731-98.

From the Resident in Mysore, No. 530—233-92, dated 19th February, 1895.

Submits for sanction, a draft Municipal Regulation for the Civil and Military Station of Bangalore to be substituted for the present Municipal Regulations sanctioned under this office Notification No. 319-I., dated the 9th February, 1883.

Early sanction is asked to the Regulation. To Legislative Department unofficially for favour of consideration in the first instance.

A. E. WINCE,—27-2-95

A. J. R.—28-2-95.

Under Secretary.

Yes. I don't know that the drafting is in places very good. I have marked a few places in the copy with a cross on the cover.

A. W.,—1-3-95.

Foreign Department Unofficial Issue No. 532-I., dated 1st March, 1895.

Legislative Department Unofficial Register No. 250, received 2nd March, 1895.

Submitted.

S. A. C.—4-3-95.

Registrar.

A. B. W.—4-3-95.

Deputy Secretary.

These Regulations are based upon the City of Madras Municipal Act, I of 1884, the Bengal Municipal Act, II (B. C.) of 1888, and the Bombay Municipal Act, III (B. C.) of 1872. I have examined them in detail very minutely and, I may add, at the cost of considerable time and labour, much of which would have been saved had explanatory references been appended to each section, as is not infrequently done in cases of the same kind.

2. The Regulations which it is proposed now to supersede were issued in 1883 with a notification in the following form :—

"The Governor General in Council is pleased to declare that the Regulations, published below, shall have force in the Civil and Military Station of Bangalore, with effect from this date."

These Regulations will be issued in the same way; but I would make the notification run thus:—

> In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879) and of all other powers enabling him in this behalf, the Governor General in Council is pleased to declare," etc.

3. As to the details, reference is, in the first instance, solicited to the copy of the draft below, on which I have indicated precisely how far the proposed Regulations follow, and to what extent they differ from, the provisions of the Acts referred to by the Resident. It will be observed that the Madras Act has in the main been adhered to as the model, and that there are not many changes calling for notice. The only amendments which I have to suggest, and the points which appear to me to require consideration, are referred to below.

4. *Section 1 of the draft Regulations.*—I have struck out the second paragraph. It is mere surplusage and, moreover, seems out of place.

Section 2.—The words "except as to so much thereof as repeals any former Act or Regulations" are unnecessary, and I have cancelled them and made the necessary alterations in the third paragraph.

Section 3 (d).—The word "inhabitant" occurs only four times throughout the Regulations, namely, in sections 39 (*h*), 202, 211 and 323, and in connection with these provisions its ordinary acceptation would seem to be sufficient. The definition may, however, stand. It has probably been taken from the Burma Municipal Act (XVII of 1884).

Section 3 (e).—I have altered the definition of "year" so as to follow the Madras Act and the definition commonly used elsewhere.

Section 3 (f).—This clause may be struck out altogether, I think. The definitions of "half-year," etc., in the Madras Act were repealed by Madras Act VII of 1884 and seem to be unnecessary.

Section 3 (g).—The words "Viceroy and" have been struck out.

Section 4.—This clashes with section 3 (*g*). The words "Governor General in Council" must be substituted for "Resident in Mysore" unless the "Resident in Mysore" is substituted for the "Governor General in Council" in section 3 (*g*). I have adopted the former course.

Section 6, proviso.—I see no reason why the saving words "or by reason only of the disqualification or defect in the election or nomination of any person acting as a Commissioner" should be omitted. They are to be found in section 6 of the Madras Act and I have taken the liberty of adding them.

Section 7, paragraph 3.—Sections 27 and 28 of the Madras Act differ from this, in that they provide an automatic system of removal, by declaring that under certain circumstances involving disqualification a Commissioner shall cease, *ipso facto*, to be a Commissioner. (*Cf.* also the Bengal and Bombay Acts.) The proposed section follows the principle of section 5 of the old Regulations, but the other principle seems to me to be preferable.

Sections 8 and 9 are unnecessary in view of the saving clause in section 2. I have consequently struck them out.

Section 10 (*g*).—I do not find the same provision in any of the Madras, Bengal or Bombay Municipal Acts, but the principle is recognized in section 72 (2) (*c*) of the more recent Punjab Municipal Acts (XX of 1891), and there is certainly nothing objectionable in it.

Section 19 does not, as does section 44 of the Madras Act, provide for the right of appeal. It surely ought to contain some such provision.

Section 20.—*Cf.* section 45 of the Madras Act. Here the Resident alone takes the place of the "Governor in Council upon the recommendation of the Commissioners," and the Commissioners are thus left with no say in the matter of the grant of leave of absence. Whether the change is a proper one or not is a matter of policy, and I desire only to draw attention to it. The circumstances of Bangalore are, of course, exceptional.

Section 42.—*Cf.* section 64 of the Madras Act, which comes to much the same thing as this although expressed in wider terms. It, however, affords the Municipal Commissioners a *locus penitentiæ*, which this section does not. I think the model of the Madras Act might, with advantage, be adhered to.

Sections 50 and 51 appear to be new but unobjectionable.

Section 62 seems to me to require amendment and I have amended it. *Cf.* section 92 of the Madras Act.

Section 68 I have amended so as to follow the Madras Act section 98.

Section 73.—I have made what follows as a necessary amendment after the amendment of section 68 on the lines of the Madras Act.

Section 82.—The minimum salary taxable under section 114 of the Madras Act is Rs. 100 a month and the maximum rate of the tax is one-half per cent. Here the minimum is exceedingly low (Rs. 10 a month) and the maximum rate is reduced to one-fourth per cent.

Section 88 follows section 120 of the Madras Act without, however, repeating a curious misprint in the latter.

Section 134 is the same as section 168 of the Madras Act save that the words "and shall also be liable to pay the cost of the prosecution" are omitted after the words "payable in respect of such vehicle." I have replaced them, and I think that the following section of the Regulation sufficiently shows the necessity for this.

Section 139.—*Cf.* section 173 of the Madras Act. The period of limitation, it will be seen, is reduced from six months to one month only.

Section 149.—I cannot conceive why the wording of section 183 of the Madras Act has been so modified. The result is at the outset a grammatical mistake, for one does not "pay a certificate" although one "pays a tax." I have amended the section, returning to the model.

Section 239.—I have scored through the words "Civil and Military" and "of Bangalore." They are unnecessary in view of the definition in section 3 (*h*).

Section 248.—I have here and elsewhere made an addition with the object of guarding against what I believe to be a very common misapprehension in connection with sections, such as this which provide for the levy of daily fines for continuing breaches *scil*, the idea that a court may pass a sentence directing that, in addition to any punishment inflicted *pro hac vice*, the accused shall pay a daily fine as long as he perseveres in the offence. I need scarcely quote rulings on the point although several are within my recollection and the

references could readily be given; for, when the fact is appreciated that such a sentence imposes a penalty for an offence *before* it has been committed, it becomes obvious how absolutely bad in law it is. There *must* be a subsequent trial and conviction in respect of the continuing breach before the daily fine provided for can be imposed and recovered, and it is well to make this perfectly clear.

Section 264. appears to be a new but very necessary provision. It does not occur in the Madras Act and the nearest provision akin to it that I can find is in section 207 of the Bombay Act, III of 1872.

Section 265.—The third paragraph seems to be taken from section 181 of the Bombay Act. It does not occur in section 280 of the Madras Act.

Section 271.—I have corrected some slips.

Section 295.—The addition I have made follows section 310 of the Madras Act and seems necessary.

Section 304.—This provision is not to be found in the Madras Act, and must have been taken straight from section 453 of the Bengal Act, which, however, makes three months the maximum. It strikes me as a sound provision.

Section 305 is the same as the repealed section 318 of the Madras Act, and might, like its prototype, very well be dispensed with.

Section 313 differs from section 324 of the Madras Act and follows *verbatim* section 320 of the Bengal Act, the last paragraph, however, being extracted from the former and added to the latter.

Section 319.—*Cf.* section 330 of the Madras Act. The words "sanction or" must obviously come out as there can be no question of sanctioning in a case of the kind contemplated.

Section 332 is not to be found in the Madras Act, but need not be objected to. Much the same provision is contained in sections 363 and 365 of the Bengal Act. *Cf.* also section 244 of the Bombay Act.

Section 340.—The words I have scored through are, as already explained, unnecessary.

Section 350.—The same remark applies. Sections 350-352 do not occur in the Madras Act, but are borrowed from the Bengal Act, sections 370-372.

Section 355 reproduces section 362 of the Madras Act, but the word "succeeding" should be omitted. Section 361 of the Madras Act is not embodied in these Regulations and that makes the difference.

Sections 362 and 363 are imported from the Bengal Act (section 368 and 369)

Section 364 is the same as section 368 of the Madras Act with the addition of the penal clause, which seems necessary. The omission of such a clause in the Madras Act, and also in the Bengal Act (section 321) and the Bombay Act (section 245A), seems to be a defect.

Section 372 becomes the same as section 376 of the Madras Act if the word "any" be substituted for "these." I have made the amendment, which seems to be a necessary one.

Section 373 does not occur in the Madras Act, but seems to be a salutary provision taken from the Bengal Act (section 329).

Section 374 is section 377 of the Madras Act reproduced, but I have nevertheless ventured to make a slight amendment in the drafting. Clearly the medical practitioner referred to need not be an "officer."

Sections 375 to 377.—I do not find these provisions in any of the Municipal Acts, but they seem unobjectionable. *Cf.* the provisions of Madras Act, II of 1866, and of the Bengal Contagious Diseases (Animals) Act, VIII (B.C.) of 1880, sections 3 and 4. *Cf.* also the Glanders and Farcy Act, XX of 1879.

I have amended the definition of "animal" at the end of section 377, following the definition in section 335 of the Bengal Municipal Act, II (B.C.) of 1888. "Large animal" is a somewhat indefinite expression.

Section 409 is intended to follow section 413 of the Madras Act, but some formal and verbal corrections seem necessary and have been made.

Sections 412, 413, 414 and 415.—*Cf.* sections 416, 418, 419 and 420 of the Madras Act. In all these cases I venture to think that provision should be made for translation and publication in the vernacular, as is the case in the Madras and other Municipal Acts. It seems very necessary that this should be done.

Section 443.—I have here, as elsewhere, struck out the unnecessary words "Civil and Military."

Sections 453 and 454.—I should be inclined to recast these on the lines of section 83 of the Punjab Municipal Act, 1891. The proviso at the end of that section ought, at least, to be added to section 454 of these Regulations.

As to the Schedules generally I see no objection; but the rates fixed in Schedule D seem high as compared with those fixed in Schedule E of the Madras Act, and the fees in Schedule I are exactly double those charged in Schedule K of that Act.

5. Subject to these remarks and to the amendments I have indicated above, I think we may agree to the issue of the proposed Regulations. But a much better model than either the Madras, the Bombay, or the Bengal Municipal law is to be found in the Punjab Municipal Act (XX of 1891), and if we were drafting we should probably follow it pretty closely.

H. W. C. C.,—14-3-95.

Please print.

Registrar.

Secretary.

Submitted.

H. W. C. C.,—19-3-95.

G. C. Press, Simla.—No. 731 F. D.—16-8-95.—

RESIDENT'S OFFICE.

TELEGRAM.

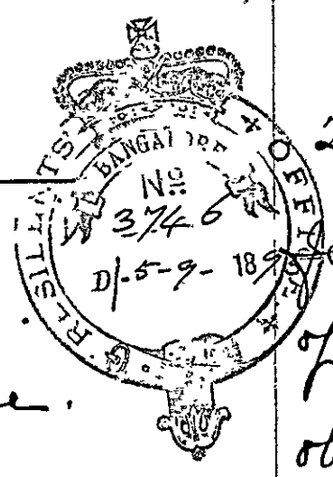
No. 8

~~[DRAFT.] For approval.~~

Dated 4th Sept. 1895.

Copy

~~Despatched~~.



From Foreign.

From Simla.

To Resident

To Bangalore.

OFFICIAL INSTRUCTIONS.

S. 5.

2920-I. Your letter 3167 Sept. fourteenth, Sanitary Condition of Bangalore. There is no objection to your tentatively incorporating the proposals made in paragraph five of your letter in the revision of the Regulations which was authorized in my letter 2689 I. August fifteenth. This permission does not pledge Govt. of India to accept the policy you advocate nor to go beyond the lines of Act 13 of 1889 in dealing with the Military Quarters of Bangalore.

S. 6

No 3226 E.1 · dt 19-8-95 · 9

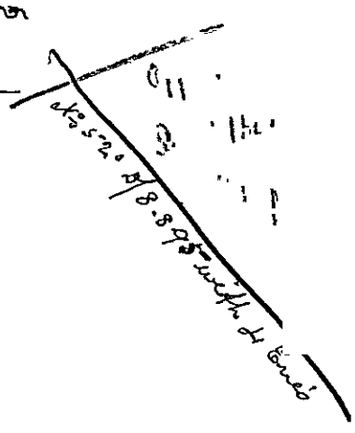
To The Chief Sec to the G. of In

Sir

I beleive the question of providing officers quarters in the Hospital Bangalore is under the consideration of the Govt of India. The public mind here has been recently distressed by the circumstance that three officers Surg. Capt Wilson, Dr Thacker, & Dr Forbes, all serving ill were under treatment in a ward of the Hospital separated from each other by thin screens. Dr Thacker was regarded as almost convalescent when Dr Forbes, who had been living with him in the same house. Wilson sensed, succumbed after a severe struggle to enteric fever his death struggles affected Dr Thacker who took a bad turn on the day following his death, & followed him to the grave with in a few days.

2. as the civil surgeon in the station I have no responsibility for the hospital, & am not called upon to comment upon the absence in this

large military station with its 7 Regts
of quarters which exist at Colaba in
Bombay, at Poona where also the civil district
has separate rooms for European patients, &
elsewhere But I believe that the general
answers to a demand for Officers wards
is that Officers must be treated in their
own quarters That answer raises a question
upon of fact upon which I cannot with due regard to duty
maintain silence as it depends upon the sanitary
condition of the Officers quarters in this station under the administration
I have therefore to forward for the information
of the Military authorities a report
upon the house occupied by the late
Officer Major Forbes 7 Bracher which
will enable a judgment to be formed as to whether there
Officers could not have been treated
with safety & humanity in their own
quarters



Florence

L Forbes

Special & Miscellaneous

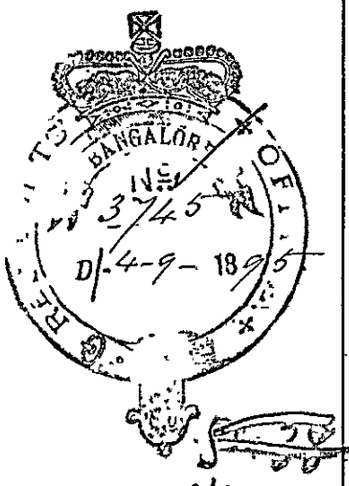
No. 1597 M. W.

S 10

Ootacamund, 3rd September 1895

From

The Lieutenant-General COMMANDING the FORCES, Madras.



To

The Resident in Mysore

Bangalore

Sir,

With reference to your letter No. 3226 E. I. dated 19th August 1895 transferred to me by the Chief Secretary to the Government of Madras. I have the honor to acquaint you that the question of provision of accommodation for sick Officers at stations in the Madras Command was submitted to the Government of India in 1892.

2. The proposals for Bangalore contemplated accommodation for two Officer which is at present in existence by the misappropriation of a general ward 25 feet by 15'

3. In 1893 the decision of the Government of India was received to the effect that it was not prepared to sanction any more money for providing extra accommodation owing to the financial pressure and that all such schemes must be held

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held in abeyance.

As regards the sanitary condition of Officers' quarters in the Civil and Military Station of Bangalore, I desire to call your attention to the effect that the insanitary condition of the entire neighbourhood of the Ulsoor Road was pointed out in the strongest manner to the Civil Authorities two years ago, See letter, No 500, 18th August 1893. from the Secretary to the Sanitary Board to the First Assistant to the Resident.

III
1 Resn's letter to Fr. Off. No 3167 14-8-95
Enclo III to S.5

It would however appear from the Proceedings of the Sanitary Board, See Appendix A letter No 530. 8th August 1895 from the Secretary to the Sanitary Board to the First Assistant to the Resident, that the representations made in 1893 have produced little Change in the Sanitary conditions of this particular part of the Station.

Appendix A.
Appendix to S.5

If the fatal illnesses of the two young Officers alluded to in your letter are traceable to the insanitary condition of the house in which they had been living, this house being private property under municipal control, it appears to me

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the local authorities are to blame for not having compelled the owner to put it in a sanitary condition and the same remark will apply to any other houses the condition of which is unsatisfactory.

I have therefore the honor to request that you will be so good, as the highest Civil Authority in the Station, to use all the means in your power to enforce the recommendations of the Sanitary Board and the General Officer Commanding the District has been instructed to afford you every assistance within his power that you may require, so far as the Military are concerned.

I have the honor to be

Sir,

Your obedient Servant

Thos. Steele CB

Lieut. General

Commanding the Forces, Madras

W.J.